WP(C) 4379/2007
BEFORE
HON'BLR MR JUSTICE AMITAVA ROY

Heard Mr MH Rajborbhuiyan, learned counsel for the petitioners. Also heard Mr P. Roy, learned State counsel for the official respondents.

Having regard to the prayer made , I dispose of this petition at the mot ion stage itself.

This is the second round of litigation by the petitioners. They had approached t his Court earlier with WP(C ) No.1592/2007 apprehending threatened eviction from the land in their occupation without following the procedure prescribed by law. This Court by order dated 2.4.2007 on a scrutiny of the pleaded facts and the d ocuments appended to the writ petition had observed that the same prima facie di sclosed a semblance of claim of the petitioners in the land involved and made i t incumbent on the part of the authority concerned to initiate the process cont emplated in law if they are sought to be evicted therefrom.

The petitioners' grievance presently is that though their applications before th e appropriate authorities of the government are pending for settlement of the l and and that in the meantime, the respondent authorities have surveyed the sam e therefor, corroborating their possession, some miscreants are active at the instance of some interested quarters to dislodge them from the land. Their c omplaint is that the representations submitted by them before the Circle Officer , Barkhetri Revenue Circle, Mukalmua, Nalbari and the Officer in

Charge, Bhanganamari Police outpost for their redress have remained unattended . Mr Rajborbhuiyan has submitted that in the present facts and circumstances, th is writ petition may be closed with a direction to the aforementioned authoriti es to consider and take an appropriate decision on the petitioners' representat ion on merits.
Mr Deka has no objection to the course suggested.

In the above factual premise and on a consideration of the submissions made by t he learned counsel for the parties, this petition stands closed with a direction to the Circle Officer, Barkhetri Revenue Circle, Mukalmua and the Officer-in-ch arge, Bhanganamari police out post to take necessary steps on the petitioners' r epresentations referred hereinabove.

Needless to say if the aforementioned authorities find that the petitioners' gr ievance is genuine, they would take essential remedial measures keeping in mind the observations of this Court recorded in its order dated 2.4.2007 passed in W P( C) No.1592/2007.No costs.